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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,352

02/15/2007

Roland Ochmann

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09/10/2008

REISING, ETHINGTON, BARNES, KISSELLE, P.C.

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EXAMINER

DOAK, JENNIFER L

ART UNIT

PAPER NUMBER

2872

MAIL DATE

DELIVERY MODE

09/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/561,352	Applicant(s) OEHMANN, ROLAND	
	Examiner Jennifer L. Doak	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/16/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 11/16/07 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because (1) the number 2006/87754 AA is not a proper US Pre-grant Publication number and is not found; however, Examiner assumes that Applicant intended this reference to be US 2006/0087754, which Examiner cites herein to make this reference part of the record; (2) the foreign patent documents do not include English abstracts. Therefore, these references have not been considered. There were no remainder references to be considered by Examiner. See MPEP § 609.05(a).

Specification

The title of the invention is not descriptive. “The title should be brief but technically accurate and descriptive and should contain fewer than 500 characters,” MPEP §606. Specifically, statements concerning the general type or nature of the entire system or its components that are common to many other similar elements or systems that are known in the art are not sufficiently descriptive to provide “informative value in indexing, classifying, searching, etc.,” MPEP §606.01. Examiner recommends directing the title to what Applicant believes is the point of novelty, since it is by the novelty that “indexing, classifying, searching, etc.” is generally accomplished. Nevertheless, it should be noted that, pursuant to MPEP §606.01, “[i]f a satisfactory title is not supplied by the applicant, the examiner may, at the time of allowance, change the title by examiner’s amendment.”

A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 25-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Lang (US 20020080506).

Regarding claim 25, Lang discloses an outside rear view mirror assembly (Title) for a motor vehicle, said outside rear view mirror assembly comprising: a mirror housing (Fig. 2) including a circumferential lateral wall (i.e., as defined by the circumscribing edge of 4) defining an opening (i.e., wherein the mirror resides), an insertion opening (22), and a back wall (5); a mirror mounting bracket (18) insertable into said mirror housing (i.e., within the housing circumference) through said insertion opening; and a snap-in tongue (i.e., the clips extending from 5) defining a free end and extending out from said back wall (5) for engaging said mirror mounting bracket (i.e., via 4) when said mirror mounting bracket is inserted into said mirror housing to lock said mirror mounting bracket therein (Fig. 2).

Regarding claim 32, Lang discloses an outside rear view mirror assembly (Title) wherein said catch piece (i.e., the projection portion of the end of the clip of 5) extends laterally across said snap-in tongue (i.e., the clip ends of 5).

Regarding claims 26 and 27, Lang further discloses that said mirror mounting bracket includes a catch recess (Fig. 2) to receive said snap-in tongue (Fig. 2) therein to lock said mirror

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mounting bracket in place (Fig. 2), and wherein said snap-in tongue includes a catch piece (i.e., the projection from the tip) at said free end thereof to engage said catch recess.

Regarding claim 28, Lang further discloses that said mirror mounting bracket includes a positive locking component (i.e., the folded back section of 4 including the recess) extending out from said mirror mounting bracket to guide said mirror mounting bracket as it is inserted into said mirror housing (Fig. 2).

Regarding claim 29, Lang further discloses that said back wall of said mirror housing includes an insertion tunnel (i.e., the interior of the folded back section of 4 including the recess) for receiving said positive locking component therein.

Regarding claims 30 and 31, Lang further discloses said positive locking component includes a stop (i.e., the uneven portion of 4 just beyond the clip of 5) for abutting said insertion tunnel preventing said catch piece from moving past said catch recess (Fig. 2); that said catch recess includes an angled surface (i.e., the angled nature of the surface may be seen in the figure) to abut and engage said catch piece (Fig. 2).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer L. Doak whose telephone number is (571)272-9791. The examiner can normally be reached on Mon-Thurs: 7:30A-5:00P, Alt Fri: 7:30A-4:00P (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JD
9/4/08

/Stephone B. Allen/
Supervisory Patent Examiner
Art Unit 2872